



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,549	12/04/2003	Wun-Chang Shih	3313-1077P	5496
2292 7590 01/02/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER JOYCE, WILLIAM C	
			ART UNIT	PAPER NUMBER
			3682	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	01/02/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 01/02/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/726,549

Applicant(s)

SHIH ET AL.

Examiner

William C. Joyce

Art Unit

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

This is the First Office Action in response to the above identified patent application filed on December 4, 2003.

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 3 and 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. Claim 3, the limitation "the deflecting member is a buckle" is not fully understood. Accordingly, the metes and bounds of the claim limitation cannot be determined.
- b. Claim 4, the limitation "the impediment is a buckle" is not fully understood. Accordingly, the metes and bounds of the claim limitation cannot be determined.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Kusaki et al. (USP 6,316,856).

Kusaki et al. discloses a fluid bearing module comprising: a bearing seat, which is selectively installed on a stator and has a capacity and an opening connecting to the capacity; a bearing, which is installed in the capacity of the bearing seat and has a hollow space for selectively installing an axis of a rotor, with a lubricant medium filled between the bearing and the rotor and the rotor connecting to the stator in a rotatable way; a deflecting member (17), which protrudes from the side of the opening of the bearing seat and buckles in a groove (1B) of the axis, bending toward and away from the capacity; and an impediment (16), which protrudes from the side of the opening of the bearing seat and has an inner diameter greater than the inner diameter of the deflecting member to restrict the deflecting member from bending toward the opening and to prevent the axis from departing; wherein the deflecting member and the impediment forms a maze channel to keep the lubricant medium within.

6. Claims 1-4 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawakami (DE 198 48 291).

Kawakami discloses a fluid bearing module comprising: a bearing seat, which is selectively installed on a stator and has a capacity and an opening connecting to the capacity; a bearing, which is installed in the capacity of the bearing seat and has a

hollow space for selectively installing an axis of a rotor, with a lubricant medium filled between the bearing and the rotor and the rotor connecting to the stator in a rotatable way; a deflecting member (6), which protrudes from the side of the opening of the bearing seat and buckles in a groove of the axis, bending toward and away from the capacity; and an impediment (5), which protrudes from the side of the opening of the bearing seat and has an inner diameter greater than the inner diameter of the deflecting member to restrict the deflecting member from bending toward the opening and to prevent the axis from departing; wherein the deflecting member and the impediment forms a maze channel to keep the lubricant medium within.

7. Claims 1-4 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Moorman (USP 3,726,575).

Moorman discloses a fluid bearing module comprising: a bearing seat, which is selectively installed on a stator and has a capacity and an opening connecting to the capacity; a bearing, which is installed in the capacity of the bearing seat and has a hollow space for selectively installing an axis of a rotor, with a lubricant medium filled between the bearing and the rotor and the rotor connecting to the stator in a rotatable way; a deflecting member (20), which protrudes from the side of the opening of the bearing seat and buckles in a groove of the axis, bending toward and away from the capacity; and an impediment (22), which protrudes from the side of the opening of the bearing seat and has an inner diameter greater than the inner diameter of the deflecting member to restrict the deflecting member from bending toward the opening and to

Art Unit: 3682

prevent the axis from departing; wherein the deflecting member and the impediment forms a maze channel to keep the lubricant medium within.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note the retaining device of Heob ('849), Wrobel ('672), Nii et al. ('460).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Joyce whose telephone number is (571) 272-7107. The examiner can normally be reached on Monday - Thursday 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3682

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

 12/19/06
William C. Joyce